

MANDATE

04-11531
USDC/MA
Stearns J

**United States Court of Appeals
For the First Circuit**

Nos. 06-1954, 06-1955

FAFARD REAL ESTATE & DEVELOPMENT CORP.,

Plaintiff - Appellant\Cross - Appellee,

v.

METRO-BOSTON BROADCASTING, INC.,

Defendant - Appellee\Cross - Appellant.

JUDGMENT

Entered: November 7, 2006

Pursuant to 1st Cir. R. 27(d)

Upon consideration of the parties' joint motion, it is hereby ordered that this appeal be voluntarily dismissed pursuant to Fed. R. App. P. 42(b) with each party to bear its own costs.

Mandate to issue forthwith.

**Certified and Issued as Mandate
under Fed. R. App. P. 41.**

Richard Cushing Donovan, Clerk

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Deputy Clerk

Date: 11/7/06

By the Court:

Richard Cushing Donovan, Clerk

By: MARGARET CARTER
Chief Deputy Clerk

[cc: Jeffrey J. Upton, Esq., Halye A. Sugarman, Esq., Kenneth R. Berman, Esq., Erik P. Bartenhagen, Esq.]